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Carsten Mickleit

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EXAMINER

LAI, MICHAEL C

ART UNIT

PAPER NUMBER

2157

MAIL DATE

DELIVERY MODE

05/13/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/683,691	MICKLEIT, CARSTEN	
	Examiner	Art Unit	
	MICHAEL C. LAI	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)
2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____. | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) <input type="checkbox"/> Notice of Informal Patent Application
6) <input type="checkbox"/> Other: _____. |
|---|--|

DETAILED ACTION

This office action is responsive to amendment filed on 01/29/2008.

Response to Amendment

The examiner has acknowledged the added drawings, the revised Specification, the new claims 17-56, and the cancelled claims 1-16. The claim objections on claims 1-16 are withdrawn accordingly.

Response to Arguments

Applicant's arguments, see pages 10-11, with respect to new claims 17, 25, 31 have been considered but are moot in view of the new ground(s) of rejection.

Drawings

1. The drawings were received on 01/29/2008. These drawings are not acceptable because of noncompliance with 37 CFR 1.121 (d). Any new sheet of drawings containing an additional figure must be labeled in the top margin as "New Sheet". The elements of the drawings should have descriptive titles. For example, 100 should read "end device", 110 "print file".

Specification

2. The disclosure is objected to because of the following informalities: On the bottom of page 2 of the substitute specification, it refers to "Claim 1 and Claims 14 to 16". These claims are cancelled in the amendment. The examiner suggests replacing these claims with descriptive words.

Appropriate correction is required.

Claim Objections

3. Claim 37 is objected to because of the following informalities: the term "means" should be "means for" in lines 3 and 7. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 41 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claim 41 recites the limitation "the mobile device" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 17-21, 23, 25-27, 29, 31-33, 35, 37-41, 43, 45-47, 49, 51-53, and 55 are rejected under 35 U.S.C. 102(e) as being anticipated by Larsson et al. (US 7,028,102 B1, hereinafter referred to as Larsson).

9. Regarding claim 17, Larsson discloses a method for providing print data in communication networks [FIGs. 5 and 6], comprising the steps of:

(a) transmitting from an end device to a data processing unit at least information necessary for accessing data or a file intended for printing, wherein the data processing unit is controlled by a computer program [14 FIG. 6, col. 9, lines 52-56; 210 print service device FIG. 5, col. 8 line 57 through col. 9 line 2],

(b) opening the data or the file intended for output at its storage location [col. 9, lines 3-8],

(c) starting a print job for issuing the data or the file, and embedding the print file resulting from the print job in a hypertext page [col. 9, lines 8-51, the print file could be sent to an IP address of the communication device; col. 10 line 49 through col. 11 line 39, "a print request comprising a document address, given by the selected link" implies an embedded print file. Note that WAP uses a cut-down version of XHTML with end-to-end HTTP. This implies the print file is in a hypertext page], and

(d) (i) transmitting the hypertext page containing the print file to the end device [col. 9, lines 43-47, a return address to the cellular telephone], or

(ii) providing the hypertext page containing the print file for recall on a location in the communication network and transmitting to the end device information necessary for accessing the provided hypertext page.

10. Regarding claim 18, Larsson further discloses wherein the hypertext page is a HTML or WML site [col. 10 line 49 through col. 11 line 39, Note that WAP uses a cut-down version of XHTML with end-to-end HTTP].

11. Regarding claim 19, Larsson further discloses the step of:

(e) recalling and issuing the hypertext page by the end device, or manually requesting the hypertext page [abstract, accessing information on the internet].

12. Regarding claim 20, Larsson further discloses wherein the end device is a mobile device [FIG. 1].

13. Regarding claim 21, Larsson further discloses wherein the mobile device is mobile telephone, handheld computer, laptop or pocket PC [FIG. 1].

14. Regarding claim 23, Larsson further discloses wherein in step (a), the transmitting takes place via a dialup connection or the Internet [abstract, accessing information on the internet].

15. Regarding claim 25, Larsson discloses a method for providing print data in communication networks [FIGs. 5, 6] , comprising the steps of:

(a) transmitting from an end device to a data processing unit at least information necessary for accessing data or a file intended for printing, wherein the data processing unit is controlled by a computer program [14 FIG. 6, col. 9, lines 52-56; 210 print service device FIG. 5, col. 8 line 57 through col. 9 line 2],

(b) opening the data or the file intended for output at its storage location [col. 9, lines 3-8],

(c) starting a print job for issuing the data or the file [col. 9, lines 8-51],
and

(d) (i) transmitting the print file resulting from the print job to the end device and the end device printing out the transmitted print file [col. 9, lines 43-47, return to the cellular phone], or

(ii) providing the print file resulting from the print job for recall on a location in the communication network and transmitting to the end device information necessary for accessing the provided print file.

16. Regarding claim 26, Larsson further discloses wherein the end device is a mobile device [FIG. 1].

17. Regarding claim 27, Larsson further discloses wherein the mobile device is mobile telephone, handheld computer, laptop or pocket PC [FIG. 1].

18. Regarding claim 29, Larsson further discloses wherein in step (a), the transmitting takes place via a dialup connection or the Internet [abstract, accessing information on the internet].

19. Regarding claim 31, Larsson discloses a method for output data or an output file in communication networks [FIGs. 5, 6] , comprising the steps of:

(a) transmitting from an end device to a data processing unit at least information necessary for accessing data or a file intended for printing, wherein the data processing unit is controlled by a computer program [14 FIG. 6, col. 9, lines 52-56; 210 print service device FIG. 5, col. 8 line 57 through col. 9 line 2],

(b) opening the data or the file intended for output at its storage location [col. 9, lines 3-8],

(c) converting the data or files intended for output into a pre-specifiable format [col. 9, lines 13-47], and

(d) providing the converted data or files for recall on a location in the communication network and transmitting to the end device information necessary for accessing the provided print file [col. 9, lines 8-51, the print file could be sent to an IP address of the communication device; col. 10 line 49 through col. 11 line 39, "a print request comprising a document address, given by the selected link" implies an embedded print file and stored for recall on a location. Note that WAP uses a cut-down version of XHTML with end-to-end HTTP. This implies the print file is in a hypertext page].

20. Regarding claim 32, Larsson further discloses wherein the end device is a mobile device [FIG. 1].

21. Regarding claim 33, Larsson further discloses wherein the mobile device is mobile telephone, handheld computer, laptop or pocket PC [FIG. 1].

22. Regarding claim 35, Larsson further discloses wherein in step (a), the transmitting takes place via a dialup connection or the Internet [abstract, accessing information on the internet].

23. Regarding claim 37, Larsson discloses computer software program stored on a computer readable storage medium for providing print data in communication networks, comprising:

(a) means transmitting from an end device to a data processing unit at least information necessary for accessing data or a file intended for printing, wherein the data

processing unit is controlled by a computer program [14 FIG. 6, col. 9, lines 52-56; 210 print service device FIG. 5, col. 8 line 57 through col. 9 line 2],

(b) means for opening the data or the file intended for output at its storage location [col. 9, lines 3-8],

(c) means starting a print job for issuing the data or the file, and embedding the print file resulting from the print job in a hypertext page [col. 9, lines 8-51, the print file could be sent to an IP address of the communication device; col. 10 line 49 through col. 11 line 39, "a print request comprising a document address, given by the selected link" implies an embedded print file. Note that WAP uses a cut-down version of XHTML with end-to-end HTTP. This implies the print file is in a hypertext page], and

(d) (i) means for transmitting the hypertext page containing the print file to the end device [col. 9, lines 43-47, a return address to the cellular telephone], or

(ii) means for providing the hypertext page containing the print file for recall on a location in the communication network and transmitting to the end device information necessary for accessing the provided hypertext page.

24. Regarding claim 38, Larsson further discloses wherein the hypertext page is a HTML or WML site [col. 10 line 49 through col. 11 line 39, Note that WAP uses a cut-down version of XHTML with end-to-end HTTP.].

25. Regarding claim 39, Larsson further discloses:

(e) means for recalling and issuing the hypertext page by the end device, or manually requesting the hypertext page [abstract, accessing information on the internet].

26. Regarding claim 40, Larsson further discloses wherein the end device is a mobile device [FIG. 1].

27. Regarding claim 41, Larsson further discloses wherein the mobile device is mobile telephone, handheld computer, laptop or pocket PC [FIG. 1].

28. Regarding claim 43, Larsson further discloses wherein in (a), the transmitting takes place via a dialup connection or the Internet [abstract, accessing information on the internet].

29. Regarding claim 45, Larsson discloses computer software program stored on a computer readable storage medium for printing data or a file in communication networks, comprising:

(a) means for transmitting from an end device to a data processing unit at least information necessary for accessing data or a file intended for printing, wherein the data processing unit is controlled by a computer program [14 FIG. 6, col. 9, lines 52-56; 210 print service device FIG. 5, col. 8 line 57 through col. 9 line 2],

(b) means for opening the data or the file intended for output at its storage location [col. 9, lines 3-8],

(c) means for starting a print job for issuing the data or the file [col. 9, lines 8-51],
and

(d) (i) means for transmitting the print file resulting from the print job to the end device and the end device printing out the transmitted print file [col. 9, lines 43-47, return to the cellular phone], or

(ii) means for providing the print file resulting from the print job for recall on a location in the communication network and transmitting to the end device information necessary for accessing the provided print file.

30. Regarding claim 46, Larsson further discloses wherein the end device is a mobile device [FIG. 1].

31. Regarding claim 47, Larsson further discloses wherein the mobile device is mobile telephone, handheld computer, laptop or pocket PC [FIG. 1].

32. Regarding claim 49, Larsson further discloses wherein in step (a), the transmitting takes place via a dialup connection or the Internet [abstract, accessing information on the internet].

33. Regarding claim 51, Larsson discloses Computer software program stored on a computer readable storage medium for providing output data or an output file in communication networks, comprising:

(a) means for transmitting from an end device to a data processing unit at least information necessary for accessing data or a file intended for printing, wherein the data processing unit is controlled by a computer program [14 FIG. 6, col. 9, lines 52-56; 210 print service device FIG. 5, col. 8 line 57 through col. 9 line 2],

(b) means for opening the data or the file intended for output at its storage location [col. 9, lines 3-8],

(c) means for converting the data or files intended for output into a pre-specifiable format [col. 9, lines 13-47], and

(d) means for providing the converted data or files for recall on a location in the communication network and transmitting to the end device information necessary for accessing the provided print file [col. 9, lines 8-51, the print file could be sent to an IP address of the communication device; col. 10 line 49 through col. 11 line 39, "a print request comprising a document address, given by the selected link" implies an embedded print file and stored for recall on a location. Note that WAP uses a cut-down version of XHTML with end-to-end HTTP. This implies the print file is in a hypertext page].

34. Regarding claim 52, Larsson further discloses wherein the end device is a mobile device [FIG. 1].

35. Regarding claim 53, Larsson further discloses wherein the mobile device is mobile telephone, handheld computer, laptop or pocket PC [FIG. 1].

36. Regarding claim 55, Larsson further discloses wherein in step (a), the transmitting takes place via a dialup connection or the Internet [abstract, accessing information on the internet].

Claim Rejections - 35 USC § 103

37. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

38. Claims 22, 28, 34, 42, 48, and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson as applied to claim 17 above.

39. Regarding claim 22, Larsson discloses the claimed invention except for that the end device is a stationary device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a stationary device for the purpose of more processing power and bandwidth (comparing to a mobile device) by taking advantage of desk top computer/work station and broadband communication, thereby providing much faster response from the network.

40. Regarding claim 28, Larsson discloses the claimed invention except for that the end device is a stationary device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a stationary device for the purpose of more processing power and bandwidth (comparing to a mobile device) by taking advantage of desk top computer/work station and broadband communication, thereby providing much faster response from the network.

41. Regarding claim 34, Larsson discloses the claimed invention except for that the end device is a stationary device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a stationary device for the purpose of more processing power and bandwidth (comparing to a mobile device) by taking advantage of desk top computer/work station and broadband communication, thereby providing much faster response from the network.

42. Regarding claim 42, Larsson discloses the claimed invention except for that the end device is a stationary device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a stationary device for the purpose of more processing power and bandwidth (comparing to a mobile device) by taking

advantage of desk top computer/work station and broadband communication, thereby providing much faster response from the network.

43. Regarding claim 48, Larsson discloses the claimed invention except for that the end device is a stationary device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a stationary device for the purpose of more processing power and bandwidth (comparing to a mobile device) by taking advantage of desk top computer/work station and broadband communication, thereby providing much faster response from the network.

44. Regarding claim 54, Larsson discloses the claimed invention except for that the end device is a stationary device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a stationary device for the purpose of more processing power and bandwidth (comparing to a mobile device) by taking advantage of desk top computer/work station and broadband communication, thereby providing much faster response from the network.

45. Claims 24, 30, 36, 44, 50, and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson as applied to claim 17 above, and further in view of Christfort et al. (US 7,089,295 B2, hereinafter referred to as Christfort).

46. Regarding claim 24, Larsson discloses the claimed invention except for wherein in step (a), the transmitting takes place via SMS. However, Christfort teaches that WAP phones may connect to the Internet to access services over a wireless connection using an asynchronous protocol, such as the short message service (SMS) protocol [col. 13, lines 3 – 13]. Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to incorporate the teaching of Christfort into Larsson's method for the purpose of providing customers more ways of accessing the services by transmitting the request from the end device to the data processing unit via SMS, thereby more business for the service provider.

47. Regarding claim 30, Larsson discloses the claimed invention except for wherein in step (a), the transmitting takes place via SMS. However, Christfort teaches that WAP phones may connect to the Internet to access services over a wireless connection using an asynchronous protocol, such as the short message service (SMS) protocol [col. 13, lines 3 – 13]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Christfort into Larsson's method for the purpose of providing customers more ways of accessing the services by transmitting the request from the end device to the data processing unit via SMS, thereby more business for the service provider.

48. Regarding claim 36, Larsson discloses the claimed invention except for wherein in step (a), the transmitting takes place via SMS. However, Christfort teaches that WAP phones may connect to the Internet to access services over a wireless connection using an asynchronous protocol, such as the short message service (SMS) protocol [col. 13, lines 3 – 13]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Christfort into Larsson's method for the purpose of providing customers more ways of accessing the services by transmitting the request from the end device to the data processing unit via SMS, thereby more business for the service provider.

49. Regarding claim 44, Larsson discloses the claimed invention except for wherein in step (a), the transmitting takes place via SMS. However, Christfort teaches that WAP phones may connect to the Internet to access services over a wireless connection using an asynchronous protocol, such as the short message service (SMS) protocol [col. 13, lines 3 – 13]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Christfort into Larsson's method for the purpose of providing customers more ways of accessing the services by transmitting the request from the end device to the data processing unit via SMS, thereby more business for the service provider.

50. Regarding claim 50, Larsson discloses the claimed invention except for wherein in step (a), the transmitting takes place via SMS. However, Christfort teaches that WAP phones may connect to the Internet to access services over a wireless connection using an asynchronous protocol, such as the short message service (SMS) protocol [col. 13, lines 3 – 13]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Christfort into Larsson's method for the purpose of providing customers more ways of accessing the services by transmitting the request from the end device to the data processing unit via SMS, thereby more business for the service provider.

51. Regarding claim 56, Larsson discloses the claimed invention except for wherein in step (a), the transmitting takes place via SMS. However, Christfort teaches that WAP phones may connect to the Internet to access services over a wireless connection using an asynchronous protocol, such as the short message service (SMS) protocol [col. 13,

lines 3 – 13]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Christfort into Larsson's method for the purpose of providing customers more ways of accessing the services by transmitting the request from the end device to the data processing unit via SMS, thereby more business for the service provider.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Al-Kazily et al. (US 7,042,586 B2), has taught a network addressable device that has a universal remote interface assembly which is connected to a document storage assembly and a remote printer.

Turnbull (US 2002/0133626 A1), has taught a web content format for mobile device.

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Lai whose telephone number is (571) 270-3236. The examiner can normally be reached on M-F 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael C. Lai
08MAY2008

/Yves Dalencourt/
Primary Examiner, Art Unit 2157